

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA
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RICHARD H. WEARE

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401 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85003

RONNIE HONEY

CHIEF DEPUTY CLERK
SANDRA DAY O'CONNOR U.S. COURTHOUSE
401 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85003

AUG 18 2005

Clerk, U. S. Dist. Court MICHAEL S. O'BRIEN

W. Dist of N. C. CHIEF DEPUTY CLERK
EVO A. DECONCINI U.S. COURTHOUSE
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TUCSON, ARIZONA 85701

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W. DIST. OF N. C.

AUGUST 10, 2005 AUG 18 2005

Clark, U. S. Dist. Court
W. Dist. of N. C.

Mr. Frank G. Johns
Clerk
United States District Court
210 Charles R. Jonas Federal Bldg
401 West Trade Street
Charlotte, NC 28202

Re: USA vs ARMIDA ARROYOS-ARAGON
Our Magistrate Case No. 05-5136M
Your Case No. 1:05CR209-1

Dear Mr. Johns:

In connection with the above-entitled Removal Proceedings, enclosed herewith are the following:

- (1) Copy of Warrant for Arrest
- (2) Certified Copies of M/E of 06/23/05
- (3) Certified Copies of Waiver of Rule 40
- (4) -----
- (5) Certified Copy of Docket Sheet

Please acknowledge receipt of same on the copy of this letter and return to the TUCSON office for filing.

RICHARD H. WEARE, CLERK

By: Johnnie-Kaye Montgomery
Deputy Clerk

cc: US Attorney, North Carolina
US Attorney, Tucson
Ed Nesbitt
File

The staff of the Clerk's Office ensures the effective, efficient and professional delivery of clerical and administrative services, while fostering a customer-friendly and employee-friendly environment.

U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION

PERSONAL HISTORY REPORT

1. File Title

~~Pass~~

1 USC 846 Conspiracy Cocaine TFI

2. File Number

MD-04-0046

3. Program Code

4. Group No.

5. G-DEP ID

6. Date Prepared

7. PURPOSE OF SUBMISSION: G-DEP DESCRIPTION ARREST FUGITIVE DECLARATION FUGITIVE CANCELLATION

8. Subject Name (Last, First, Middle)

ARROYOS-ARAGON, ARMIDA

8a. Arrest No.

9. Qualitative Characterization

10. Date of Birth (MM-DD-YYYY)

3-15-52

11a. Alias Name

ARMIDA ARROYOS - HERNANDEZ

11b. Priority Target

 YES NO

12. Alternate Date of Birth

3-15-57

13. NADDIS No.

14. FBI No.

15. Social Security No.

600-17-1537

16. Misc. Numbers (e.g., TECS; DRUG-X; Registrant; CSS No., etc.)

17. Place of Birth (City, State/Country)

CHIHUAHUA, MEXICO

18. Citizenship (Country)

US

19. Alien Status

 Illegal Legal (Alien Registration No.)

20. Race

 Black Asian-Pacific Islander

21. Ethnicity

 Hispanic Non-Hispanic Unknown

22. Sex

 Male

23. Color Hair

Red

24. Height

5'8"

27. Address (No., Street, Unit, City, State/Country, Zip Code)

2442 S. RONALDSON
TUCSON, AZ 85713

29. Telephone Number (Include Area Code)

520-663-7634

28. Identifying Characteristics (Scars, tattoos, marks, physical defects, etc.)

SCAR

LEFT SHOULDER

30. Occupation

HERBALIFE

SUPERVISOR

31. Employer Name and Address

SELF EMPLOYED

32. Employer Telephone Number (Include Area Code) 520-271-2943

33. Passport No.

34. Issue Date

35. Issuing Country

36. Expiration Date

37. Name on Passport

38. Driver's License No.

39. Issuing State/Country

40. Expiration Date

41. Name on License

ARMIDA ARAGON ARROYOS

42a. FAMILY INFORMATION (Last, First, Middle Name)

b. Age c. Address (No. Street, Unit, City, State/Country) & Phone No.

Father

REYNALDO ARROYOS

DECEASED

Mother

LUZ ARAGON

11

Children

RAFAEL FERNANDEZ-ARROYOS

29

2442 S. RONALDSON TSN/AZ

PHILIP CORTEZ

21

MEXICO /UNKNOWN

Other Relatives

JANAH DIAZ-ARROYOS

(Relationship)

16

2442 S. RONALDSON TSN/AZ

43a. Source of Supply (Name)

44a. Criminal Associates (Use Remarks Section to Add Other Names)

44b. NADDIS Nos.

43b. NADDIS No.

I. G-DEP DESCRIPTION (Complete for all G-DEP and Arrest Submissions.) Agents Manual 622

45. Submission:

 Initial Supplemental

46. Subject's Principal Controlled Substance / Commodity

Use Letter-Number Code:
(See Agents Manual)

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA - TUCSON

DATE: 6/23/2005

CASE NUMBER: 05-05136M

USA vs. ARMIDA ARRAGON ARROYOS

U.S. MAGISTRATE JUDGE: MAGISTRATE CHARLES R. PYLE Judge #: 70BM

U.S. Attorney Cynthia Wood

INTERPRETER REQ'D N/A

CLERK, U.S. DISTRICT COURT
DISTRICT OF ARIZONA

S DEPUTY

Attorney for Defendant Edward Nesbitt (Retained)

INITIAL APP: HELD DEFENDANT: PRESENT NOT PRESENT RELEASED CUSTODY

Complaint Filed DOA _____

Warrant Other District

Financial Afdvt taken

Warrant Phx Div.

No Financial Afdvt taken

Counsel waives reading of the Complaint/Indictment

Defendant states true name to be _____.

Further proceedings Ordered in defendant's true name.

Government's motion for detention and request for a continuance of the Detention Hearing pursuant to §3142(e) & (f)
is Granted Denied

Defendant shall be temporarily detained in the custody of the United States Marshal pursuant to § 3142(f) § 3142(d)

PSA recommends release; Gov't concurs objects

GOVERNMENT recommends _____

Court accepts/rejects stip of ptys/recommendation by _____

Bail set at O/R with standard conditions to include no travel outside Arizona and North Carolina; maintain employment, no firearms.

Defendant signed Order Setting Conditions of Release and released on O/R. Defendant advised of conditions on the record.

| | |
|--|---|
| DETENTION HEARING: <input checked="" type="checkbox"/> Held <input type="checkbox"/> Cont'd. Set for: before: Gov't's request for detention <input type="checkbox"/> Granted <input type="checkbox"/> Denied | REMOVAL HEARING: <input type="checkbox"/> Held <input checked="" type="checkbox"/> Waived Set for: before: <input type="checkbox"/> COMMITMENT TO ANOTHER DISTRICT ISSUED |
| <input type="checkbox"/> Defendant Ordered detained pending Removal Hearing <input type="checkbox"/> Gov't withdraws request to detain defendant | <input type="checkbox"/> ORDER BOND posted in this case be transferred to the U.S. District Court for the <u>WD NORTH CAROLINA</u> where this matter is pending |

Deft. signs written Waiver of Removal Hrg. The Magistrate Judge finds, on the basis of deft's written waiver of removal hrg and this Magistrate Judge's receipt of the original/certified copy of the warrant from the Western District of North Carolina that there is probable cause to believe that this defendant is the Armida Arragon Arroyos, named in the said warrant, and that there is probable cause to believe that an offense has been committed against the laws of the United States of America.

IT IS ORDERED that the Marshal promptly remove defendant from the District of Arizona to the charging district.

OTHER: Mr. Nesbitt filed Notice of Appearance in open court.

Copies to:
USA, CNSL, FSA, GPO
E-FILED

[Signature]

(10)

Recorded by Courtsmart

BY: Barb Wentz
Deputy Clerk

SCANNED

UNITED STATES DISTRICT COURT

DISTRICT OF

| | | |
|---------------------------------------|----------------------------|---------------------------|
| <input checked="" type="checkbox"/> F | <input type="checkbox"/> D | LODGED |
| RECEIVED | | COPY |
| COURT | | JUN 23 2005 |
| ARIZONA | | CLERK U.S. DISTRICT COURT |
| | | DISTRICT OF ARIZONA |

United States of America

V.

ARMIDA ARRAGON ARROYOS

(2)

WAIVER OF RULE 5(c)(3) HEARINGS
(Excluding Probation Cases)

Case Number: 05-05136M

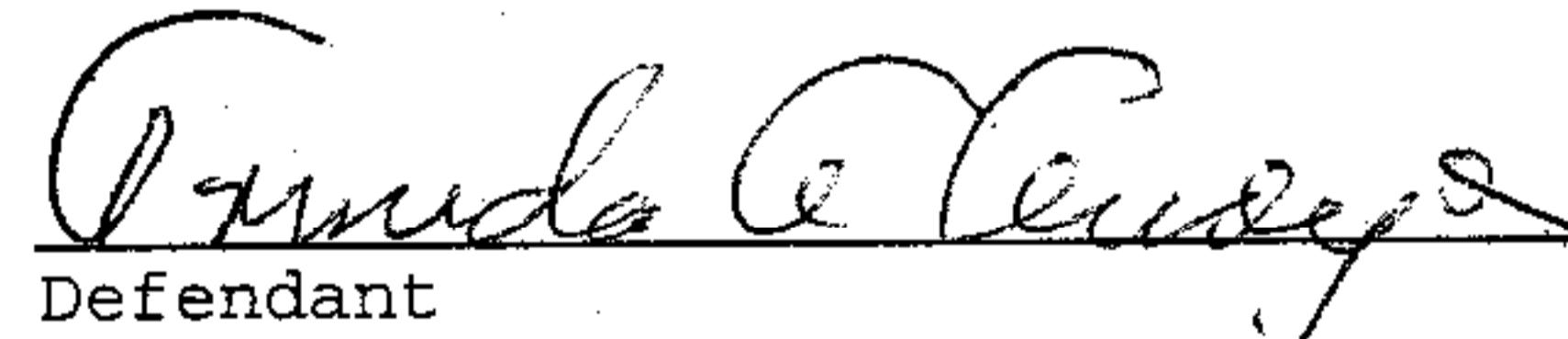
I, ARMIDA ARRAGON ARROYOS, understand that in the WESTERN DISTRICT District of NORTH CAROLINA, charges are pending alleging violation of 21:846; 21:841; 18:1956(h); CONSP TO POSS.; PWID; LAUNDERING OF MONETARY INSTRUMENTS and that I have been arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, FED. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

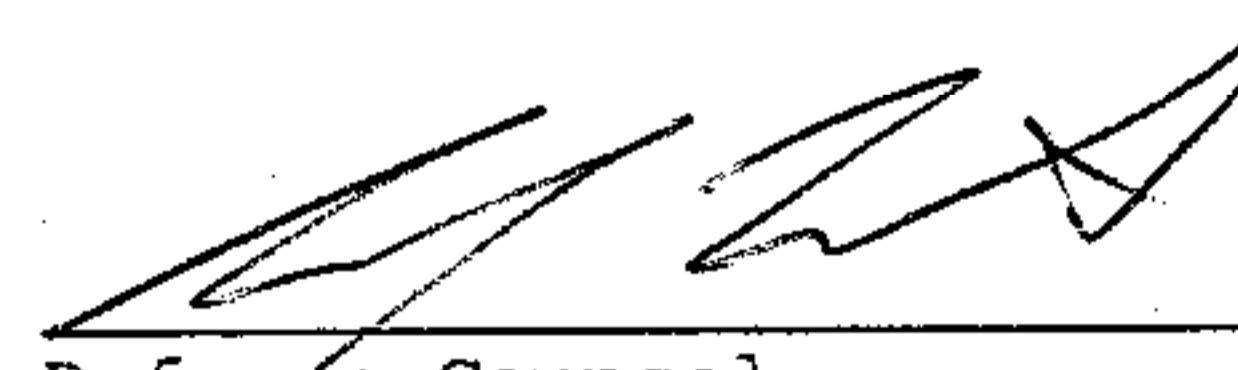
I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N) :

- identity hearing
- preliminary examination
- identity hearing and have been informed I have no right to a preliminary examination
- identity hearing but request a preliminary examination to be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me. I further waive the presentment of the original or the certified copy of the Warrant from the WESTERN District of NORTH CAROLINA in the District of Arizona.



Defendant



Defense Counsel

6/23/2005



**U.S. District Court
DISTRICT OF ARIZONA (Tucson Division)
CRIMINAL DOCKET FOR CASE #: 4:05-mj-05136-BPV-ALL
Internal Use Only**

Case title: USA v. Fernandez et al
Other court case number: 1:05CR209-1 Western District Of North Carolina

Date Filed: 06/21/2005

Assigned to: Magistrate Judge Bernardo P. Velasco

Defendant

Raphael Arroyos Fernandez (1)

also known as

Raphael Fernando Fernandez (1)

represented by **Edward C Nesbitt**
Edward C Nesbitt
177 N Church Ave
Ste 200
Tucson, AZ 85701-1117
520-628-7777
Fax: 520-798-1980
Email: Charlesjn27@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Disposition

Terminated Counts

None

Highest Offense Level (Terminated)

None

Disposition

Complaints

21:841; 21:846; Conspiracy to Possess with Intent to Distribute Cocaine and Marijuana, 18:1956 Money Laundering-Federal Statutes, Other

Assigned to: Magistrate Judge Bernardo P. Velasco

Defendant

Armida Arragon Arroyos (2)

represented by **Edward C Nesbitt**
(See above for address)
ATTORNEY TO BE NOTICED

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Disposition

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

21:841A=ND.F, 18:1956-7477.F, 21:841A=MD.F

Disposition

Assigned to: Magistrate Judge Bernardo P. Velasco

Defendant

Peujon Deslin Nazifi (3)

also known as

PJ (3)

represented by **Jeffrey James Rogers**
Hirsh & Rogers PLC
177 N Church Ave
Ste 700
Tucson, AZ 85701
(520)624-4700
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

21:841A=ND.F, 21:841A=MD.F, 18:1956-7477.F

Assigned to: Magistrate Judge Bernardo P. Velasco

Defendant

Ahmad Nazifi (4)

represented by **David Edward Lipartito**
Law Office of David Lipartito PC
177 N Church Ave
700
Tucson, AZ 85701
(520)622-1944
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints**Disposition**

21:841A=ND.F, 21:841A=MD.F, 18:1956-7477.F

Plaintiff

USA

represented by **Cynthia R Wood**
 US Attorney's Office
 405 W Congress St
 Ste 4800
 Tucson, AZ 85701-4050
 520-620-7300
 Fax: 520-620-7320
 Email: cynthia.wood@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----|--|
| 06/21/2005 | 1 | Arrest (Rule 40) of Raphael Arroyos Fernandez (JKM,) (Entered: 07/20/2005) |
| 06/21/2005 | 2 | Arrest (Rule 40) of Armida Arragon Arroyos (JKM,) (Entered: 07/26/2005) |
| 06/21/2005 | 3 | Arrest (Rule 40) of Peujon Deslin Nazifi (JKM,) (Entered: 07/26/2005) |
| 06/21/2005 | 4 | Arrest (Rule 40) of Ahmad Nazifi (JKM,) (Entered: 07/26/2005) |
| 06/21/2005 | 1 | Minute Entry for proceedings held before Judge Bernardo P. Velasco :Detention Hearing as to Raphael Arroyos Fernandez set for 6/23/2005, Initial Appearance as to Raphael Arroyos Fernandez held on 6/21/2005 (Court Reporter CourtSmart.) (JKM,) (Entered: 07/26/2005) |
| 06/21/2005 | 2 | NOTICE OF ATTORNEY APPEARANCE: Edward C Nesbitt appearing for Raphael Arroyos Fernandez (JKM,) (Entered: 07/26/2005) |
| 06/21/2005 | 3 | Minute Entry for proceedings held before Judge Bernardo P. Velasco :Detention Hearing as to Armida Arragon Arroyos set for on 6/23/2005, Initial Appearance as to Armida Arragon Arroyos held on 6/21/2005 (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005) |
| 06/21/2005 | 4 | Minute Entry for proceedings held before Judge Bernardo P. Velasco :Detention Hearing as to Peujon Deslin Nazifi set for 6/23/2005, Initial Appearance as to Peujon Deslin Nazifi held on 6/21/2005 (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005) |
| 06/21/2005 | 5 | NOTICE OF ATTORNEY APPEARANCE: Jeffrey James Rogers appearing for Peujon Deslin Nazifi (JKM,) (Entered: 07/26/2005) |
| 06/21/2005 | 6 | Minute Entry for proceedings held before Judge Bernardo P. Velasco :Detention Hearing as to Ahmad Nazifi set for 6/23/2005, Initial Appearance as to Ahmad Nazifi held on 6/21/2005 (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | 7 | Minute Entry for proceedings held before Judge Charles R. Pyle :Detention Hearing as to Raphael Arroyos Fernandez held on 6/23/2005 (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | 9 | WAIVER of Rule 40 Hearings by Raphael Arroyos Fernandez (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | 10 | Minute Entry for proceedings held before Judge Charles R. Pyle :Detention Hearing as to Armida Arragon Arroyos held on 6/23/2005, Bond set as to Armida Arragon Arroyos (2) o/r Bond (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005) |

| | | |
|------------|------|---|
| 06/23/2005 | • 11 | ORDER Setting Conditions of Release as to Armida Arragon Arroyos (2) o/r Bond . Signed by Judge Charles R. Pyle on 6/23/05. (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 12 | NOTICE OF ATTORNEY APPEARANCE: Edward C Nesbitt appearing for Armida Arragon Arroyos (Arizona hearings only) (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 13 | WAIVER of Rule 40 Hearings by Armida Arragon Arroyos (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 14 | Minute Entry for proceedings held before Judge Charles R. Pyle :Detention Hearing as to Peujon Deslin Nazifi held on 6/23/2005, Bond set as to Peujon Deslin Nazifi (3) \$10,000/PAB (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 15 | ORDER Setting Conditions of Release as to Peujon Deslin Nazifi (3) \$10,000/PAB . Signed by Judge Bernardo P. Velasco on 6/23/05. (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 16 | Minute Entry for proceedings held before Judge Bernardo P. Velasco :Bond Hearing as to Peujon Deslin Nazifi held on 6/23/2005 (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 17 | WAIVER of Rule 40 Hearings by Peujon Deslin Nazifi (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 18 | Minute Entry for proceedings held before Judge Charles R. Pyle :Detention Hearing as to Ahmad Nazifi held on 6/23/2005, Bond set as to Ahmad Nazifi (4) o/r Bond (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 19 | ORDER Setting Conditions of Release as to Ahmad Nazifi (4) o/r Bond . Signed by Judge Charles R. Pyle on 6/23/05. (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 20 | NOTICE OF ATTORNEY APPEARANCE: David Edward Lipartito appearing for Ahmad Nazifi (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 21 | WAIVER of Rule 40 Hearings by Ahmad Nazifi (JKM,) (Entered: 07/26/2005) |
| 06/23/2005 | • 22 | Commitment to Another District Issued: to District of WD NORTH CAROLINA as to Raphael Arroyos Fernandez. (JKM,) (Entered: 07/26/2005) |
| 06/27/2005 | • 8 | ORDER OF DETENTION as to Raphael Arroyos Fernandez . Signed by Judge Charles R. Pyle on 6/23/05. (JKM,) (Entered: 07/26/2005) |

I hereby attest and certify on 8/10/05
 that the foregoing document is a full, true and correct
 copy of the original on file in my office and in my cus-
 tody.

CLERK, U.S. DISTRICT COURT
 DISTRICT OF ARIZONA
 By _____ Deputy _____